

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER DEX-0550
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/537,695
INTERNATIONAL APPLICATION NO. PCT/US03/38829	INTERNATIONAL FILING DATE December 5, 2003	PRIORITY DATE CLAIMED December 5, 2002
TITLE OF INVENTION Compositions, Splice Variants and Methods Relating to Breast Specific Genes and Proteins		
APPLICANT(S) FOR DO/EO/US Macina et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 23 below concern document(s) or information included: <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/537,695		INTERNATIONAL APPLICATION NO. PCT/US03/38829		ATTORNEY'S DOCKET NUMBER DEX-0550																																																																																																																																																											
<p>23. Other items or information:</p> <p>1) Copy of Notification of Missing Requirements; 2) Copies of Transmittal Letter dated July 10, 2006 and accompanying documents, including requisite fees in response to Notification of Missing Requirements dated May 24, 2006; and 3) Copy of USPTO PAIR document evidencing receipt of number (2) above.</p>																																																																																																																																																															
<p>The following fees have been submitted:</p> <table border="1"> <thead> <tr> <th colspan="2"></th> <th colspan="2">CALCULATIONS</th> <th colspan="2">PTO USE</th> </tr> </thead> <tbody> <tr> <td>24. <input type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td>25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$0</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td>All other situations.....</td> <td>\$200</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$0</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.....</td> <td>\$100</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.....</td> <td>\$400</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>All other situations.....</td> <td>\$500</td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">TOTAL OF 24, 25 and 26 =</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td colspan="6"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td colspan="2">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td colspan="2">RATE</td> </tr> <tr> <td>- 100 =</td> <td>0 /50 =</td> <td colspan="2">0</td> <td>x \$250.00</td> <td>\$ \$0.00</td> </tr> <tr> <td colspan="6">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td colspan="3">RATE</td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x \$50.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x \$200.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="6">TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="6"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. </td> </tr> <tr> <td colspan="6">SUBTOTAL =</td> </tr> <tr> <td colspan="6">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="6">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="6">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td> </tr> <tr> <td colspan="6">No fee is required</td> </tr> <tr> <td colspan="6"> <table border="1"> <tr> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table> </td> </tr> </tbody> </table>								CALCULATIONS		PTO USE		24. <input type="checkbox"/> Basic national fee	\$300	\$	\$0.00			25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$	\$0.00			All other situations.....	\$200					26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$	\$0.00			Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.....	\$100					International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.....	\$400					All other situations.....	\$500					TOTAL OF 24, 25 and 26 =		\$	\$0.00			<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE		- 100 =	0 /50 =	0		x \$250.00	\$ \$0.00	Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	- 20 =	0	x \$50.00	\$	\$0.00	Independent claims	- 3 =	0	x \$200.00	\$	\$0.00	MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/> +	\$360.00	\$	\$0.00	TOTAL OF ABOVE CALCULATIONS =						<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						SUBTOTAL =						Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).						TOTAL NATIONAL FEE =						Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +						No fee is required						<table border="1"> <tr> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table>						Amount to be	\$	Amount to be	\$
		CALCULATIONS		PTO USE																																																																																																																																																											
24. <input type="checkbox"/> Basic national fee	\$300	\$	\$0.00																																																																																																																																																												
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$	\$0.00																																																																																																																																																												
All other situations.....	\$200																																																																																																																																																														
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$	\$0.00																																																																																																																																																												
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.....	\$100																																																																																																																																																														
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.....	\$400																																																																																																																																																														
All other situations.....	\$500																																																																																																																																																														
TOTAL OF 24, 25 and 26 =		\$	\$0.00																																																																																																																																																												
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																																																																															
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE																																																																																																																																																											
- 100 =	0 /50 =	0		x \$250.00	\$ \$0.00																																																																																																																																																										
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).																																																																																																																																																															
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																																																																																												
Total claims	- 20 =	0	x \$50.00	\$	\$0.00																																																																																																																																																										
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00																																																																																																																																																										
MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/> +	\$360.00	\$	\$0.00																																																																																																																																																										
TOTAL OF ABOVE CALCULATIONS =																																																																																																																																																															
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																																																																																																																																																															
SUBTOTAL =																																																																																																																																																															
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).																																																																																																																																																															
TOTAL NATIONAL FEE =																																																																																																																																																															
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +																																																																																																																																																															
No fee is required																																																																																																																																																															
<table border="1"> <tr> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table>						Amount to be	\$	Amount to be	\$																																																																																																																																																						
Amount to be	\$																																																																																																																																																														
Amount to be	\$																																																																																																																																																														

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

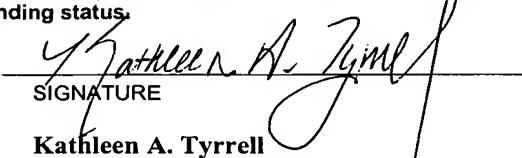
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1619. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Jane Massey Licata, Reg. No. 32,257
 Kathleen A. Tyrrell, Reg. No. 38,350
 Licata & Tyrrell P.C.
 66 E. Main Street
 Marlton, New Jersey 08053
 Telephone: (856) 810-1515
 Facsimile: (856) 810-1454


SIGNATURE

Kathleen A. Tyrrell

NAME

38,350

REGISTRATION NUMBER

August 18, 2006

DATE

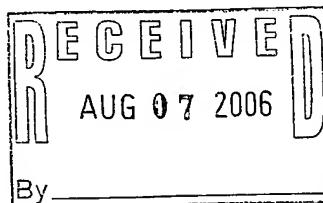


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,695	Roberto A MACINA	DEX-0550

32800
 LICATA & TYRRELL P.C.
 66 E. MAIN STREET
 MARLTON, NJ 08053



Date Mailed: 08/03/2006

10/3/06
10/4/2006

Docket System
 Status Report
 Docket Book

INTERNATIONAL APPLICATION NO.

PCT/US03/38829

I.A. FILING DATE	PRIORITY DATE
12/05/2003	12/05/2002

CONFIRMATION NO. 8042
 371 FORMALITIES LETTER



OC000000019868072

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- Information Disclosure Statements filed on 06/06/2005
- Biochemical Sequence Diskette filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Specification filed on 06/06/2005
- Claims filed on 06/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,695	PCT/US03/38829	DEX-0550

FORM PCT/DO/EO/905 (371 Formalities Notice)

[Portal Home](#)[Patents](#)[Trademarks](#)[Sign-Off Authenticated Session](#)[Patent eBusiness](#)[Secured Patent Application Information Retrieval](#)

- [+ Electronic Filing](#)
- [+ Patent Application Information \(PAIR\)](#)
- [+ Patent Ownership](#)
- [+ Fees](#)
- [+ Supplemental Resources & Support](#)

[Select New Case](#) [Applications by Customer](#) [Image File Wrapper](#)

This application is officially maintained in electronic form. To View:
Print: Check the desired document(s) and click Start Download.

Available Documents

Patent Information

- [Patent Guidance and General Info](#)
- [+ Codes, Rules & Manuals](#)
- [+ Employee & Office Directories](#)
- [+ Resources & Public Notices](#)

Patent Searches

- [Patent Official Gazette](#)
- [+ Search Patents & Applications](#)
- [+ Search Biological Sequences](#)
- [+ Copies, Products & Services](#)

Other

- [Copyrights](#)
- [Trademarks](#)
- [Policy & Law Reports](#)

Mail Room Date	Document Description	Document Category
08-03-2006	Notice of DO/EO Missing Requirements Mailed	PROSECUTION
07-17-2006	Miscellaneous Internal Document	PROSECUTION
07-17-2006	Fee Worksheet (PTO-875)	PROSECUTION
07-17-2006	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION
07-17-2006	Oath or Declaration filed Notice of DO/EO	PROSECUTION
05-24-2006	Missing Requirements Mailed	PROSECUTION
06-16-2005	CRF Sequence Listing Filed	PROSECUTION
06-06-2005	Miscellaneous Internal Document	PROSECUTION
06-06-2005	Claims Worksheet (PTO-2022)	PROSECUTION
06-06-2005	Preliminary Amendment	PROSECUTION
06-06-2005	Claims	PROSECUTION
06-06-2005	Applicant Arguments/Remarks Made in an Amendment Information Disclosure Statement (IDS) Filed	PROSECUTION
06-06-2005	NPL Documents	PROSECUTION
06-06-2005	NPL Documents	PROSECUTION
06-06-2005	Documents submitted with 371 Applications	PROSECUTION
06-06-2005	Documents submitted with 371 Applications	PROSECUTION
06-06-2005	Documents submitted with 371	PROSECUTION

	<u>Applications</u>	
06-06-2005	<u>NPL Documents</u>	PROSECUTION
06-06-2005	<u>Transmittal letter</u>	PROSECUTION
06-06-2005	<u>Specification</u>	PROSECUTION
06-06-2005	<u>Claims</u>	PROSECUTION
06-06-2005	<u>Abstract</u>	PROSECUTION
06-06-2005	<u>Sequence Listing</u>	PROSECUTION
06-06-2005	<u>Oath or Declaration filed</u>	PROSECUTION
06-06-2005	<u>Miscellaneous Internal Document</u>	PROSECUTION
06-06-2005	<u>Fee Worksheet (PTO-875)</u>	PROSECUTION

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 about Patent Application Information Retrieval (PAIR).*
- *Send general questions about USPTO programs to the USPTC.*
- *If you experience technical difficulties or problems with this Business Support or call 1 800-786-9199.*

You can suggest USPTO webpages or material you would like featured on this section by E-mail to the webmaster@uspto.gov. While we cannot promise to include every suggestion, we will consider your suggestions for improvements on the website.